

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RICHARD L. WOLFE, *et al.*,**

**Plaintiffs,**

**v.**

**THE BANK OF NEW YORK MELLON,  
*et al.*,**

**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Case No. 2:14-CV-00366**

**JUDGE ALGENON L. MARBLEY**

**Magistrate Judge King**

**OPINION & ORDER**

This matter is before the Court on the United States Magistrate Judge's **Report and Recommendation**. (Doc. 29). On January 2, 2015, the Magistrate Judge issued a Report and Recommendation, recommending that the claims against Defendant Casey be dismissed, without prejudice, for failure to effect timely service of process under Fed.R.Civ.P. 4(m). The parties were specifically advised of their right to object to this Report and Recommendation, and of the consequences of their failure to do so. (Doc. 29 at 1-2). The parties have failed to respond. The deadline for objections lapsed on January 20, 2014. The Court hereby **ADOPTS** the Report and Recommendation based on the independent consideration of the analysis therein. Accordingly, Plaintiffs' claims against Defendant Casey are **DISMISSED without prejudice**.

For the reasons stated above, this Court **ADOPTS** the Magistrate Judge's **Report and Recommendation** (Doc. 29), therefore Plaintiffs' claims against Defendant Casey are hereby **DISMISSED WITHOUT PREJUDICE**. The Clerk is directed to enter Judgment in this matter and this case is **CLOSED**.

**IT IS SO ORDERED.**

s/ Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT JUDGE**

**DATED: March 16, 2015**